

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Frederick S.M. Herz et al.
Serial No.: 09/024,278
Confirmation No.: 8139
Filed: February 17, 1998
For: BROADCAST DATA DISTRIBUTION SYSTEM WITH ASYMMETRIC
UPLINK/DOWNLINK
Examiner: Huynh, Son P.
Art Unit: 2623

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 25, 2009

Signature: *Patricia L. Marchetti* (Patricia L. Marchetti)

MAIL STOP PETITION
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181

Dear Madam:

Applicants hereby petition under 37 CFR 1.181(a) to withdraw the holding of abandonment because the Office Action mailed June 18, 2007 was not received by Applicants' representatives, Wolf, Greenfield & Sacks, PC.

Applicants' representatives recently checked the status of the present application on the USPTO's PAIR system. According to PAIR, an Office Action was mailed on June 18, 2007 and no reply was filed, causing this application to become abandoned. The first page of the Office Action shows that the Office Action was erroneously mailed to Applicants' previous representative, Melvin A. Hunn. As a result, Applicants' representatives Wolf, Greenfield & Sacks, PC did not receive the Office Action and the present application became abandoned.

Applicants' representatives Wolf, Greenfield & Sacks, PC filed a Power of Attorney and Change of Correspondence Address on July 26, 2005 to change the correspondence address for the present application to Wolf, Greenfield & Sacks, PC (Customer No. 23628). The USPTO accepted this change of correspondence address as evidenced by the USPTO's Petition Decision of December 18, 2006 being mailed to Wolf, Greenfield & Sacks, PC. Accordingly, the Office Action sent on June 18, 2007 should have been mailed to Wolf, Greenfield & Sacks, PC.

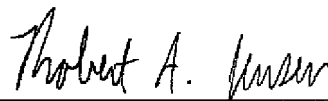
Pursuant to MPEP 711.03C, Applicants respectfully request that the USPTO withdraw the holding of abandonment and resend the Office Action to Applicants representative Wolf, Greenfield & Sacks, PC., thereby restarting the period for reply.

Applicants are separately sending the USPTO another copy of the Power of Attorney and Change of Correspondence Address because the USPTO has not updated the correspondence address for this application.

Applicants do not believe that this petition requires a fee. If a fee is due, Applicants' representative authorizes that the fee be charged to Deposit Account No. 23/2825.

Dated: March 25, 2009

Respectfully submitted,



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